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12 RESOURCE RENEWAL INSTITUTE,
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and WESTERN WATERSHEDS PROJECT
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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17 RESOURCE RENEWAL INSTITUTE,
18 CENTER FOR BIOLOGICAL
DIVERSITY, and WESTERN
WATERSHEDS PROJECT,
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20 Plaintiffs,

21 v.

22 NATIONAL PARK SERVICE, a federal
agency, and CICELY MULDOON, in her
23 official capacity as Superintendent of Point
Reyes National Seashore,

24 Defendants.

25 Case No. 4:16-cv-00688-SBA (KAW)

26 **STIPULATION AND {PROPOSED} ORDER
TO EXTEND TEMPORARY STAY OF
LITIGATION AND EXTEND PENDING
DEADLINES**

27 Judge: Hon. Saundra Brown Armstrong

28 Date Filed: February 10, 2016

Trial Date: None set

Pursuant to N.D. Cal. Local Civil Rules 6-1, 6-2, 7-2, 7-3, and 7-4, Plaintiffs RESOURCE RENEWAL INSTITUTE, CENTER FOR BIOLOGICAL DIVERSITY, and WESTERN WATERSHEDS PROJECT, and Defendants NATIONAL PARK SERVICE, and CICELY MULDOON IN HER OFFICIAL CAPACITY AS SUPERINTENDENT OF POINT REYES NATIONAL SEASHORE (collectively, the “Parties”), through undersigned counsel hereby jointly stipulate and respectfully request that the Court: (1) extend the stay of the above-captioned case until January 31, 2017; (2) extend by six weeks the pending deadline for Plaintiffs’ Reply in Support of Their Motion for Preliminary Injunctive Relief until February 15, 2017; (3) continue the hearing on Plaintiffs’ Motion for Preliminary Injunctive Relief to March 8, 2017; and (4) order the Parties to file a joint status report on January 31, 2017, informing the Court whether they believe a further stay would be appropriate at that time. The Parties jointly declare in support of these stipulated requests:

A. WHEREAS, the Court entered an Order on July 22, 2016, referring the above-captioned action for a mandatory settlement conference (the “Settlement Conference”) (ECF No. 55) with Hon. Judge Donna M. Ryu (ECF No. 67) on September 20, 2016 (ECF No. 72);

B. WHEREAS, the Parties and representatives for the Intervenors KEVIN and NANCY LUNNY, RICHARD and JACKIE GROSSI, TED and RHEA MCISAC, GINO LUCCHESI JR and CLATON LUCCHESSI, MIKE and MORGAN GIAMONN, RICHARD GALLAGHER, RALPH and LUKE GIACOMINI, FRED and GINNY ROGERS, LOUIS and WYATT ZANARDI, and PAULETTE PERCY (“the Lunny Ranchers”) and JULIE EVANS ROSSOTTI, DAVID and DOLORES EVANS, ROBERT McCLURE, TIM, TOM, and MIKE KEHOE, NICHOLA, ERNIE, and ERNEST SPALETTA, BETTY NUNES, and WILLIAM and NICOLETTE NIMAN (the “Rossotti Ranchers”) and the COUNTY OF MARIN (collectively, “the Intervenors”) participated in the Settlement Conference on September 20, 2016, and agreed to deadlines regarding next steps (ECF No. 112);

C. WHEREAS, the Parties jointly requested a three-week stay of the litigation through October 17, 2016, and extending the due date for Plaintiffs’ Reply to November 2, 2106, which the Court granted (ECF Nos. 113, 114), and subsequently requested to extend the stay of the litigation through December 20, 2016, and the due date for Plaintiffs’ Reply to January 4, 2017, which the Court

1 also granted (ECF Nos. 115, 116, 119, 120, 121, 122);

2 D. WHEREAS, the Parties believe that an additional six-week stay of the litigation and an
3 extension of these pending deadlines will conserve judicial resources, save the Parties' time and
4 expenses, and allow the Parties to work on the tasks set during the Settlement Conference;

5 E. WHEREAS, Plaintiffs may seek to further extend the due date for their Reply in order
6 to obtain further production of information from the Defendants, and the Parties agree that Plaintiffs
7 are not waiving their right to seek such an extension by entering into this stipulation, and that they
8 shall not be prejudiced by entering into this stipulation;

9 F. WHEREAS, the Parties agree that by entering into this stipulation Defendants shall not
10 be prejudiced and are not waiving their right to object to any motion by Plaintiffs to supplement the
11 Administrative Record, to seek any form of discovery, or to extend the due date for their reply brief in
12 order to obtain further production of information from Defendants;

13 G. WHEREAS, Counsel for Intervenors Rosetti Ranchers, Lunny Ranchers, and Marin
14 County have each stated they do not oppose the Parties' request to stay the litigation as described
15 herein;

16 NOW THEREFORE, pursuant to N.D. Cal. Local Civil Rules 6-1, 6-2, 7-2, 7-3, and 7-4, the
17 Parties through their respective attorneys stipulate and jointly request that the Court:

18 1. Stay the case until January 31, 2017;
19 2. Extend the pending due date for Plaintiffs' Reply in Support of Their Motion for
20 Preliminary Injunctive Relief by six weeks from its current date to February 15, 2017;

21 3. Continue the hearing on Plaintiffs' Motion for Preliminary Injunctive Relief to March
22 8, 2017; and

23 4. Order the Parties to file a joint status report on January 31, 2017, informing the Court
24 whether they believe a further stay would be appropriate at that time.

25 SO STIPULATED AND AGREED.

1 Dated: December 20, 2016

ADVOCATES FOR THE WEST

2 By: /s/ Elizabeth H. Zultoski

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1 Dated: December 20, 2016

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17 Attorneys for Defendants
18 NATIONAL PARK SERVICE, and
CICELY MULDOON IN HER OFFICIAL
CAPACITY AS SUPERINTENDENT OF
POINT REYES NATIONAL SEASHORE
19

CERTIFICATION OF CONCURRENCE FROM OTHER PARTIES

20 I, Elizabeth H. Zultoski, am the ECF user whose ID and password are being used to file this
21 Stipulation. In compliance with N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that each of the
22 signatories has concurred in the filing of this document and has authorized the use of his or her
23 electronic signature.

24 Dated: December 20, 2016

/s/ Elizabeth H. Zultoski
Elizabeth H. Zultoski

1 **[PROPOSED] ORDER**
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3 PURSUANT TO STIPULATION, IT IS SO ORDERED. December 20, 2016.
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7 THE HONORABLE SAUNDRA BROWN ARMSTRONG
8 UNITED STATES DISTRICT JUDGE
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